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26389	7590	06/29/2007	EXAMINER	
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC			RANGREJ, SHEETAL	
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SUITE 2800			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/685,290	DAVIES ET AL.
	Examiner	Art Unit
	Sheetal R. Rangrej	3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 April 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 October 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/05/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

Notice to Applicant

- This communication is in response to amendment filed on 04/05/2007.

Prosecution History Summary

- Claims 1-27 are pending.
- Claims 3 and 26 have been amended.

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "162" (screen display-p. 11, 8), "180" (screen display-p.11, 15-16), "200" (screen display-p. 11, 32), "208" (screen display-p.12, 17), "222" (screen display-p. 12, 29), "228" (screen display-p.13, 7), "234" (screen display-p.13, 23-24), "238" (screen display-p.14, 19), "258" (screen display-p.15, 24), and "290" (screen display-p.17, 14) have all been used to designate Screen Display; "170" (link-p.11, 7) and "184" (link-p.11, 19) have both been used to designate Link. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheets should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because the specification labels reference characters "102" as a computer system, "104" as PDA, and "106" as a wireless telephone, but figure 1 labels those

reference characters as computer device'; reference character "136" is labeled as display in figure 2, but specification describes it as an "optional display". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

DETAILED ACTION

Claim Rejections - 35 USC § 101

3. Examiner has withdrawn 35 U.S.C. §101 rejections against claims 21-27.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2 and 4-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Hanby et al. (U.S. Patent 7,143,051).

6. As per claim 1, Hanby teaches a method for online processing of a life insurance application, comprising:

- a. Receiving information via an electronic data communications link that identifies an individual to be insured and describes the insurability of the individual (**Hanby: column 3, lines 62-63; column 4, lines 65-67**).
- b. Generating an illustration that provides details of a proposed life insurance policy that may be issued by an insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-2**).
- c. Obtaining a commitment from the insurance policy applicant for purchase of a life insurance policy in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-3; col. 4, 3-18; figure 6A, 222**).
- d. Receiving a certification via an electronic data communications link that confirms whether the generated illustration was delivered to the insurance policy applicant at the time of commitment for purchase of the insurance policy (**Hanby: figure 6B, 235, 20, & 236; col. 7, 29-31**).

7. As per claim 2, the method of claim 1 is as described above. Hanby further teaches in which the certification is received at the time the commitment for purchase of the life insurance

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policy is obtained (**Hanby: column 7, lines 29-31**). In light of the specification, the examiner interprets that certification is received when the approval letter is done.

8. As per claim 4, the method of claim 1 is as described above. Hanby further teaches in which the certification is received from the insurance policy applicant and confirms receipt of the illustration at the time of commitment for purchase of the insurance policy (**Hanby: column 9, lines 8-9**). In light of the specification, the examiner interprets that the transmission of documents is done instantaneously where if it were not received, the person generating the proposal would be notified.

9. As per claim 5, the method of claim 1 is as described above. Hanby further teaches in which the certification is received from an agent of the insurance provider and confirms that the illustration was provided to the insurance policy applicant at the time of the commitment for purchase of the insurance policy (**Hanby: column 9, lines 8-9**).

10. As per claim 6, the method of claim 5 is as described above. Hanby further teaches in which the agent's certification confirms that the illustration was provided electronically to the insurance policy applicant (**Hanby: column 6, lines 59-62**).

11. As per claim 7, the method of claim 5 is as described above. Hanby further teaches in which the agent's certification confirms that the illustration was provided through postal or courier deliver (**Hanby: column 6, lines 59-62**).

12. As per claim 8, the method of claim 1 is as described above. Hanby further teaches in which the certification is received from the insurance policy applicant and confirms that no illustration was delivered at the time of commitment for purchase and requests that the

illustration be delivered at the time the insurance policy is delivered (**Hanby: column 9, lines 64-67**).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 3, 9-14, 15-18, and 20-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanby et al. (U.S. Patent 7,143,051) in view of Hele et al. (U.S. Publication No. 2002/0116231).

15. As per claim 3, the method of claim 1 is as described above. Hanby does not teach in which the commitment for purchase of the life insurance policy is obtained by receiving an authorization for electronic funds transfer for payment of a premium of insurance policy.

Hele teaches which the commitment for purchase of the life insurance policy is obtained by receiving an authorization for electronic funds transfer for payment of a premium of insurance policy (**Hele: para. 12; para. 16**).

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Hanby and Hele with the motivation that requests for insurance quotes are typically processed on paper through a sales office and then sent to a corporate office resulting in time delays, multiple requests for information, and the increased risk of error in collecting or processing information (**Hanby: col. 1, 30-35**).

16. As per claim 9, the method of claim 1 is as described. Hanby does not teach further teaches issuing via an electronic data communications link a temporary insurance certificate that is personalized for the individual to be insured according to the life insurance policy, accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance coverage that is extended to the individual pending issuance of the purchased insurance policy.

Hele teaches further teaches issuing via an electronic data communications link a temporary insurance certificate that is personalized for the individual to be insured according to the life insurance policy, accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance coverage that is extended to the individual pending issuance of the purchased insurance policy (**Hele: para. 14**).

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Hanby and Hele with the motivation that the invention streamlines the process of comparing multiple carriers by recommending an insurance plan tailored to an individual's circumstances and lifestyle, therefore insurance products can be modified if the plan does not best suit the individual's needs (**Hele: para. 0043**).

17. As per claim 10, Hanby teaches a method for online processing of a life insurance application, comprising:

- a. Receiving information via an electronic data communications link that identifies an individual to be insured and describes the insurability of the individual (**Hanby: column 3, lines 62-63; column 4, lines 65-67**).

- c. Obtaining a commitment for purchase of a life insurance policy to be issued by an insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-3**).

Hanby does not teach (b) Receiving information via an electronic data communications link from a third party that confirms the identification of the individual to be insured and (d) issuing via an electronic data communications link a temporary insurance certificate that is personalized for the individual according to the life insurance policy, accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance that is extended to the individual pending issuance of the purchased insurance policy.

Hele teaches (b) Receiving information via an electronic data communications link from a third party that confirms the identification of the individual to be insured (**Hele: para. 12 and 15**) and (d) issuing via an electronic data communications link a temporary insurance certificate that is personalized for the individual according to the life insurance policy, accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance that is extended to the individual pending issuance of the purchased insurance policy (**Hele: para. 14**).

Motivation to combine the teachings is the same as that of claim 9.

18. As per claim 11, the method of claim 10 is as described above. Hanby further teaches in which the third party is a trusted person having a capacity to confirm the identification of the individual (**Hanby: column 5, lines 6-14**).

19. As per claim 12, the method of claim 11 is as described above. Hanby further teaches in which the trusted person is an agent of the insurance provider (**Hanby: figure 1; column 5, lines**

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6-14). In light of the specification, the examiner interprets the validation to be done by the agent of the insurance provider since that agent makes the generation of the policy dependent on the validation of identity.

20. As per claim 13, the method of claim 10 is as described above. Hanby further teaches in which the third party confirms the identification of the individual by accessing an electronic database and verifies the identification of the individual based on information in the electronic database (**Hanby: column 5, lines 6-21**).

21. As per claim 14, the method of claim 10 is as described above. Hanby further teaches in which the personalized temporary insurance certificate includes information identifying the individual, information identifying the insurance policy to be issued to the individual, and the amount of insurance coverage provided by the temporary life insurance agreement.

22. As per claim 15, Hanby teaches a method for online processing of a life insurance application, comprising:

a. Receiving information via an electronic data communications link that identifies the individual to be insured and describes the insurability of the individual (**Hanby: column 3, lines 62-63; column 4, lines 65-67**);

b. Obtaining a commitment from the insurance policy applicant for purchase of a life insurance policy to be issued by an insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-3**).

Hanby does not teach (c) receiving an authorization via an electronic data communications link that authorizes immediate collection of medical history information from one or more third parties concerning the individual to be insured for purposes of issuing the life

insurance policy, in which the authorization is received in connection with obtaining the commitment for purchase of the life insurance policy.

Hele teaches (c) receiving an authorization via an electronic data communications link that authorizes immediate collection of medical history information from one or more third parties concerning the individual to be insured for purposes of issuing the life insurance policy, in which the authorization is received in connection with obtaining the commitment for purchase of the life insurance policy (**Hele: para. 63**).

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Hanby and Hele with the motivation that an individual must consider requirements such as lifestyle, needs, and future circumstances when selecting insurance coverage. In addition, he must educate himself on available products, and survey the vast market of insurance carriers in order to find the best-valued insurance product. (**Hele: para. 42**)

23. As per claim 16, the method of claim 15 is as described above. Hanby further teaches the authorization is received as a result of an agent of the insurance provider receiving authorization from the life insurance applicant (**Hanby: column 7, lines 53-56; column 8, lines 5-11**) and submitting the life insurance application to the insurance provider via an electronic data communications link (**Hanby: column 3, lines 60-66**).

24. As per claim 17, the method of claim 15 is as described. Hanby further teaches the authorization is received as a result of the life insurance applicant initiating an electronic submission that acknowledges the authorization (**Hanby: column 7, lines 53-56; column 8, lines 5-11**). In light of the specification, the examiner interprets that in submitting billing

information the applicant acknowledges that he or she is authorizing to submit an electronic application.

25. As per claim 18, the method of claim 15 is as described above. Hanby further teaches the authorization is received prior to obtaining the commitment for purchase of the life insurance policy (**Hanby: column 4, lines 3-18**). In light of the specification, the examiner interprets “relevant information” to contain authorization. The examiner also interprets that when the policy is being viewed, the client has not yet committed to the purchase, but is done later (**Hanby: column 4, lines 19-20**).

26. As per claim 20, the method of claim 15 is as described. Please see remarks of claim 9.

27. As per claim 21, Hanby teaches a computer system for online processing of a life insurance application, comprising an application processing server in a distributed computing environment in electronic communication with a life insurance applicant, wherein the application processing server is configured with computer-implemented instructions to receive a life insurance application via an electronic data communications link (**Hanby: column 3, lines 60-67**; In light of the specification, the examiner interprets the “QE module” to be the same as an application processing server), the life insurance application identifying an individual to be insured and describing the insurability of the individual (**Hanby: column 3, lines 62-63**), and further to obtain a commitment for purchase of a life insurance policy to be issued by an insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-3; col. 4, 3-18; figure 6A, 222**).

Hanby does not teach the application processing server issuing via the electronic data communications link a temporary insurance certificate that is personalized for the individual

according to the life insurance policy and accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance that is extended to the individual pending issuance of the purchased insurance policy.

Hele teaches the application processing server issuing via the electronic data communications link (**Hele: para. 58**) a temporary insurance certificate that is personalized for the individual according to the life insurance policy and accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance that is extended to the individual pending issuance of the purchased insurance policy (**Hele: para. 14**).

Motivation to combine the teachings is the same as that of claim 9.

28. As per claim 22, the system of claim 21 is as described above. Hanby further teaches the application processing server is further configured to receive information via an electronic data communications link from an agent of the insurance provider confirming that the identification of the individual to be insured has been verified (**Hanby: column 5, lines 1-14**).

29. As per claim 23, the system of claim 21 is as described above. Hanby further teaches the application processing server is further configured to automatically confirm identification information of the individual to be insured by requesting verification from a third party based on an external electronic database maintained by the third party (**Hanby: column 5, lines 1-14**). In light of the specification, the examiner interprets the validation process to be done by a third party due to the information being accessed to a database that is not local but external from the client's network.

30. As per claim 24, the system of claim 21 is as described above. Hanby further teaches the application processing server is further configured to generate an illustration providing details of

a proposed life insurance policy that may be issued by the insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-2; column 9, lines 4-5**), and receive a certification via an electronic data communications link confirming whether the generated illustration was delivered to the insurance policy applicant at the time of commitment for purchase of the insurance policy (**Hanby: column 9, lines 5-10**). In light of the specification, the examiner interprets that the documents are transferred instantaneously, therefore if it was not delivered, the client would send a message to the insurance provider stating it did not receive the documents.

31. As per claim 25, the system of claim 21 is as described above. Hanby further teaches the personalized temporary insurance certificate includes information identifying the individual to be insured (**Hanby: claim 1C**), information identifying the insurance policy to be issued to the individual (**Hanby: column 6, lines 12-22**), and the amount of insurance coverage provided by the temporary life insurance agreement (**Hanby: column 5, lines 40-65**).

32. As per claim 26, the system of claim 21 is as described above. Hanby further teaches the application processing server is further configured to receive an authorization via an electronic data communications link (**Hanby: column 7, lines 53-56; column 8, lines 5-11**) that authorizes the insurance provider to immediately begin collecting medical history information from one or more third parties concerning the individual to be insured (**Hanby: column 4, lines 65-67**) for purposes of issuing the life insurance policy.

33. As per claim 27, the system of claim 26 is as described above. Hanby further teaches the application processing server receives the authorization (**Hanby: column 7, lines 53-56; column 8, lines 5-11**) in connection with obtaining the commitment for purchase of the life insurance

policy (**Hanby: column 4, lines 1-3**). In light of the specification, the examiner interprets that in collecting the commitment for purchase, the client is aware that it is authorizing the insurance provider.

34. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over a single reference, Hanby.

35. Hanby teaches a method according to claim 15 as indicated above.

Hanby further shows a method where the authorization is received prior to obtaining the commitment for purchase of the life insurance policy (**Hanby: column 4, lines 3-18**).

Hanby does not show the method where the authorization is received after obtaining the commitment for purchase of the life insurance policy.

The Examiner notes, shifting the timeframe associated with the authorization does not modify the method for online processing of a life insurance policy. To have modified Hanby to have included various authorization timeframes would have been obvious to the skilled artisan because the inclusion of such step would have been an obvious matter of design choice in light of the method already discloses by Hanby. Such modification would not have otherwise affected Hanby and would have merely represented one of numerous steps that the skilled artisan would have found obvious for the purposes already disclosed by Hanby. Additionally, applicant has not persuasively demonstrated the criticality of providing this arrangement versus the arrangement discloses in Hanby. See *In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950).

Response to Arguments

36. Applicant's arguments filed for claims 1-8, 10-18, and 21-27 have been fully considered but they are not persuasive. Applicant argues that Hanby only mentions that the client accepts

the insurance policy, but fails to teach what accepting such proposal means and whether acceptance of a proposal constitutes a commitment from the client for purchase of a life insurance policy. Examiner interprets that if the client has accepted the proposal and the sales representative is obtaining a transaction, then the client has committed to the proposal that was created for the client.

Applicant also argues that Hanby fails to teach receiving a certification or confirmation. Hanby teaches receiving a confirmation by asking the client whether they would like an approval letter or not for the insurance policy they just purchased.

37. Applicant's arguments with respect to claim 3 has been considered but are moot in view of the new ground(s) of rejection.

38. Applicant's arguments, see page 14, 3-23, filed 04/05/2007, with respect to the rejection(s) of claim(s) 9 and 10-14 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hanby in view of Hele.

39. Applicant's arguments, see page 16, 6-18, filed 04/05/2007, with respect to the rejection(s) of claim(s) 15-18 and 20 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hanby in view of Hele.

40. Applicant's arguments, see page 17, 20-page 18, 6, filed 04/05/2007, with respect to the rejection(s) of claim(s) 21-27 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hanby in view of Hele.

Response to Amendment

In response, all of the limitations which Applicant disputes as missing in the applied references, including the features newly added in the 04/05/2007 amendment, have been fully addressed by the Examiner as either being fully disclosed or obvious in view of the collective teachings of Hanby and Hele, based on the logic and sound scientific reasoning of one ordinarily skilled in the art at the time of the invention, as detailed in the remarks and explanations given in the preceding sections of the present Office Action and in the prior Office Action (mailed: 12/11/2006), and incorporated herein.

Conclusion

41. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Flagg (U.S. Patent No. 6,456,979) discloses a method of evaluating a permanent life insurance policy.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheetal R. Rangrej whose telephone number is 571-270-1368. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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6/14/07

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